

12-22-03

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Express Mail Label No. EO 902 240 799 US
Attorney Docket No. 006-040000US

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent Application of

Confirmation No.: 7908

Florence Defaix et al.

Application No.: 10/666,316

Group Art Unit: 3679

Filed: 19 September 2003

Examiner: Not Yet Assigned

For: VERSION CONTROL SYSTEM FOR SOFTWARE DEVELOPMENT

PETITION UNDER 37 CFR § 1.10(c) TO ACCORD CORRECT FILING DATE

Mail Stop Petition
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

The Applicants hereby petition the Commissioner to correct the filing date for the above-referenced patent application from 20 September 2003 to 19 September 2003. This Petition is filed under 37 CFR § 1.10(c).

As shown by the attached photocopy of the "Express Mail" mailing label, the above-referenced application was filed on 19 September 2003. The DATE IN block clearly shows 9/19/03, and there are official U.S.P.S. stamps (two of them) on the mailing label that also clearly show "Sep 19 2003." Thus, there is a discrepancy between the filing date accorded by the Office (20 September 2003) and the date of deposit (19 September 2003) as shown by the "Date In" on the Express Mail mailing label and the other official U.S.P.S. notations on the Express Mail label.

The Applicants received the Official Filing Receipt on 15 December 2003. Thus, this Petition is being filed promptly after the Applicants became aware that the Office had accorded a filing date other than the U.S.P.S. deposit date. See 37 CFR § 1.10(c)(1).

The "Express Mail" mailing label number was placed on the application as filed on 19 September 2003, as required by 37 CFR § 1.10(c)(2).

The Applicants have enclosed a true copy of the "Express Mail" mailing label clearly showing the "Date In" and other official notations by the U.S.P.S. relied upon to show the date of deposit as 19 September 2003 rather than 20 September 2003, as required by 37 CFR § 1.10(c)(3).

The Applicants respectfully request correction of the Filing Date to 19 September 2003. The Applicants also request a corrected Filing Receipt showing the actual filing date of the above-referenced application.

If any fees are required, they may be charged to Deposit Account No. 502885.

Respectfully submitted,

Date: 19 December 2003



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CERTIFICATE OF MAILING BY EXPRESS MAIL

Sir:

The undersigned hereby certifies that the attached:

1. Petition Under 37 CFR § 1.10(c) to Accord Correct Filing Date;
2. Copy of Express Mail mailing label dated 19 September 2003;
3. Certificate of Mailing by Express Mail; and
4. Return postcard,

all relating to the above application were deposited as "Express Mail", Mailing Label No. EO 902 240 799 US with the United States Postal Service, addressed to Mail Stop Petition, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on 19 December 2003.

12/19/2003
Date

Adam D. Malmut
Mailer
Adam D. Malmut
Customer No. 33,486
Heimbecher & Assoc., LLC

Tel: 303-279-8888
Fax: 303-985-0651



EU 982572320 US

Mailing Label
Label 11-B September 2002

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ORIGIN (POSTAL USE ONLY)

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|--|--|--|
| PO ZIP Code | Day of Delivery <input type="checkbox"/> Next <input type="checkbox"/> Second | Flat Rate Envelope <input type="checkbox"/> |
| Date In Mo. Day Year | <input type="checkbox"/> 12 Noon <input type="checkbox"/> 3 PM | Postage \$ |
| Time In <input type="checkbox"/> AM <input type="checkbox"/> PM | Military <input type="checkbox"/> 2nd Day <input type="checkbox"/> 3rd Day | Return Receipt Fee |
| Weight lbs. ozs. | Int'l Alpha Country Code | COD Fee Insurance Fee \$ |
| No Delivery <input type="checkbox"/> Weekend <input type="checkbox"/> Holiday | Acceptance Clerk Initials | Total Postage & Fees \$ |

FROM: (PLEASE PRINT)

PHONE (303) 279-8888

Heimbecher & Assoc., LLC
17185 W. 57th Avenue
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Mail Stop Patent Application
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| PO ZIP Code 80217 | Day of Delivery <input checked="" type="checkbox"/> Next <input checked="" type="checkbox"/> Second | Flat Rate Envelope <input type="checkbox"/> 12.65 |
| Date In Mo. Day Year 12 19 03 | <input type="checkbox"/> 12 Noon <input checked="" type="checkbox"/> 3 PM | Postage \$ |
| Time In <input checked="" type="checkbox"/> AM <input checked="" type="checkbox"/> PM | Military <input type="checkbox"/> 2nd Day <input type="checkbox"/> 3rd Day | Return Receipt Fee |
| Weight lbs. 8 ozs. | Int'l Alpha Country Code | COD Fee Insurance Fee \$ |
| No Delivery <input type="checkbox"/> Weekend <input type="checkbox"/> Holiday | Acceptance Clerk Initials AL | Total Postage & Fees \$ 13.65 |

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| Delivery Date | Time | Employee Signature |
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